

OGC HAS REVIEWED.

9 November 1953

MEMORANDUM FOR: GENERAL COUNSEL

ADD/A

DD/P-ADMIN

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25X1A SUBJECT : Field Trip to [REDACTED] 9 September to 1 November 1953

REFERENCE : [REDACTED] 6 October 1953

A. PRELIMINARY STATEMENT

25X1A 1. This trip had its origin in a TDY assignment in connection with certain [REDACTED] matters, the subject of a separate and detailed report being submitted by the Auditor. Inevitably, other problems of a legal and quasi-legal nature were presented and effort was made to be of every possible assistance all along the line.

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25X1A 2. Arrival at [REDACTED] was on 12 September and continuous work was done with referenced dispatch matters until the week-end of 10 October, which included one day at [REDACTED] on Sunday, 20 September, and a week at [REDACTED] from Friday, 25 September, to Saturday, 3 October. Pending [REDACTED] developments, a visit was made to [REDACTED] from Tuesday, 13 October, through Tuesday, 20 October, at the request of the Chief of Station there in order to render assistance in local legal matters. The remainder of the time until departure from [REDACTED] on Friday, 30 October, was spent in working on [REDACTED] matters and in assisting the various administrative staffs at [REDACTED] on miscellaneous matters. A total of approximately 25,300 air miles was traveled.

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25X1A 3. The purpose of this report is to touch briefly on various subjects encountered other than [REDACTED]. These will be presented on a geographical rather than a chronological basis.

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B. [REDACTED]

4. Transfer of CSU Power Line: Briefly, this electric power line was built with 1st Composite Service Unit funds at a time when the District Engineer did not have funds available and the need for the line was imperative to bring power to CSU. It was agreed with the Engineers that CSU would be reimbursed in one way or another for the construction cost. In line with the program of the U. S. Civil Administration of the [REDACTED] the District Engineer

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requested that

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requested that the power line be transferred (together with the power plant and transmission system built by the Engineers) to a public corporation to be created by the Civil Administrator and then leased back to the Army. In response to the request of the Commanding Officer for assistance in drawing up a suitable endorsement, the undersigned after investigation and study of the matter including consultation with the Post Engineer and the Construction Engineer drew up an endorsement which was informally cleared with both USCAR and the District Engineer.

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5. However, after conference with USCAR and District Engineer representatives it was unanimously concluded that from an accounting as well as from a security point of view it would be desirable if possible, other factors being considered, to transfer the CSU power line direct to the [REDACTED] which could then transfer the whole system to the public corporation or alternatively, and perhaps better, to arrange a transfer of funds at department level. A memorandum of authority was given the undersigned by the Assistant Chief of Staff, G-4, [REDACTED] for use in Washington in an effort to effectuate one of the plans referred to. [REDACTED] which with the knowledge of FE/Admin., has been advised of the foregoing and furnished the pertinent papers, will be accorded all necessary assistance and cooperation. In order that time might not be lost the endorsement as drawn up was sent forward through channels subject to future withdrawal depending on what may be accomplished in Washington. 25X1A

6. Transfer of Title to Real Estate: Advice was requested as to

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Assistance was given in drawing up the title to land.

7. Declarations of Trust: The station did not have a proper form of declaration of trust for use with real estate and in one case had used a form devised for personal property. An adequate form was drawn up for local use.

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C. [REDACTED]

8. Internal Protective Window Coverings: Reimbursement for cost of window coverings of any sort has been denied by referenced dispatch, copy of which is attached. This is obviously not a legal matter, but

it is not

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it is not believed to be out of line to make a few comments on this subject based on personal observation and investigation, an opportunity which may not have been available to the authors of the regulation. The remarks on this subject are submitted with the acquiescence of and after discussion with FE/Admin.

25X1A a. On reading the reference one wonders if the Bureau of the Budget intends that no house shall have any window covering at all unless provided at the expense of the tenant. Generally, real estate custom and practice in other areas provides at least for some bare sort of protection such as a roller shade. In [REDACTED] as a general rule, no sort of shade or window covering is provided. The windows in the [REDACTED] housing, even in the Western-type houses, are large in proportion to the wall space and usually are poorly insulated. (For the information of those who are not familiar with the climate of [REDACTED] it has been likened to that of Washington, D. C. In [REDACTED] however, central heating is a luxury which is seldom found and even when found is usually inefficient.) Lack of insulation over such large uncovered windows obviously increases the already exorbitant cost of utilities. In this connection, shortage of electric power is threatened for the coming winter. This could be a health hazard for children, and particularly for those persons whose sole source of heat is electricity. Many of those who also have gas connected, have it only in the kitchen or in one or two of the main rooms. During the past winter there was for a period, a rationing of electricity during the daylight hours, (that is, completely cut off) for two days a week. At such times the internal protective window coverings are vitally necessary to conserve what little heat there is. I have been informed that this in the face of the recent elimination of the 10% differential makes it extremely difficult for the majority to assume the added financial burden.

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25X1A b. In addition, the regulation appears to have an unrealistic aspect in that the allowance for rugs and rug cushions, which are far more expensive than the window drapes of indigenous material arranged for at wholesale prices by [REDACTED] is quite generous and yet I was informed that the full quota of rugs is not nearly so important to the initial furnishing of the house as would be a portion of the rugs and window coverings. The coverings previously furnished by [REDACTED] prior to being discontinued pursuant to Headquarters directive were uniform, inexpensive (\$1 per square yard) and of indigenous material. In the past venetian blinds furnished by the Army in its quarters cost \$.42 per square foot or \$3.78 per square yard. The venetian blinds are not as effective an insulating agent as the indigenous coverings. Furthermore, there is also the not inconsiderable element of privacy.

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c. In summary, the tenant is encouraged or least enabled to spend money on relatively expensive articles (rugs and rug cushions) when by expenditure of some of the same allowance he could for less

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money obtain an article (window coverings) which would improve living conditions, be a positive health factor and would result in further direct dollar saving in the form of decreased utility bills. Not infrequently some of the individual furniture allowance is turned back.

d. Apart from consideration of the question on its merits there are two seeming inconsistencies on the record as it now stands:

25X1A (1) AFR 45-1050 provides that quarters are to be "decent and comfortable but neither ostentatious nor luxurious. They should be in line with those occupied by employees of comparable rank or grade of other ODYOKE agencies in each foreign area." In this connection, I am informed that at [REDACTED] the seventeen sets of quarters provided for the KUBARK personnel are furnished by the Navy with both venetian blinds and window coverings or drapes on a yardage per window basis. [REDACTED] 25X1A housing supplied by the Agency would not appear therefore, to be in line with other ODYOKE agencies in the area.

25X1A (2) The fact that KUBARK personnel are furnished venetian blinds and window coverings indicates that the statement contained in referenced dispatch to the effect that the Bureau of the Budget list "is adhered to by all elements of this organization" may not be entirely accurate.

25X1A 9. In any event, the undersigned over a period of nearly two months in the [REDACTED] area has received the impression that the financial incentives for duty in the [REDACTED] area are decreasing as a result of the periodic lessening of benefits and allowances, coupled with increasing living costs. Specific items which I was informed have increased are commissary prices, servants' wages, telephone rates, and automobile license fees.

10. Miscellaneous: Assistance was rendered in connection with renewal of leases on dwellings. In this connection the recommendations made by the Deputy General Counsel on the occasion of a visit to the area a year ago remain applicable and were even enlarged upon somewhat by the undersigned. Assistance was also given in the drafting of various communications on various subjects. In addition, the undersigned was invited to attend discussions for the purpose of giving informal opinions at the working level.

11. A specific instance of how a lawyer on the spot can save time for both the Office of General Counsel at Headquarters and the field staff occurred in connection with a rather detailed request by [REDACTED] for an opinion concerning liability (including insurance) for injuries or death resulting to employees and dependents from flights on Agency owned or controlled aircraft with particular reference to PCS, leave and R & R travel. Quite candidly, the undersigned would not have felt

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in a position with the dearth of source material at hand on certain phases, to answer all the questions put. However, using the outline cable reply from Headquarters as a guide it was a relatively quick procedure, working with the [ ] personnel staff, to come up with practical recommendations for the Senior Representative. The presence of the undersigned at [ ] enabled the Office of General Counsel to cut down on detail in the cable.

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D. [ ]

12. At these stations no legal problems were brought up other than those connected with [ ]

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[ ]

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F. DESIRABILITY OF FILLING GENERAL COUNSEL SLOT AT [ ]

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14. It is believed by the undersigned, as a result of experience at [ ] that the filling of a permanent legal billet at [ ] would serve a useful purpose. SR, [ ] has agreed to this and has requested by cable that the undersigned be permitted to return to [ ] PCS.

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15. My understanding at [ ] was that the actual slot to be occupied awaits approval of a T/O which has been submitted. DD/P-ADMIN has offered to supply funds for the General Counsel slot at [ ], if necessary. However, the SR, [ ] has expressed the opinion that he would prefer to supply the funds if possible.

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16. The undersigned would appreciate receiving advice as soon as possible from the proper source of official approval of PCS, [ ] in order that appropriate orders may be cut, a cover story be obtained, and so that an early effort may be made to dispose of the myriad of details incident to transferring PCS overseas.

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[ ]

Office of General Counsel

Attachment: Copy of dispatch

OGC/OEP:blr

Distribution:

original - OGC

1 - ADD/A

1 - DD/P-ADMIN

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